

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

JAMES C. MANN (CABN 221603)
Assistant United States Attorney

1301 Clay Street, Suite 340-S
Oakland, California 94612
Telephone: (510) 637-3680
Facsimile: (510) 637-3724
E-Mail: James.C.Mann@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-10-00659 DLJ
)	
Plaintiff,	)	STIPULATED REQUEST TO CONTINUE
	)	HEARING DATE TO FEBRUARY 11,
v.	)	2011 AND TO EXCLUDE TIME UNDER
	)	THE SPEEDY TRIAL ACT; ORDER
CORNELL WILLIAM MAXEY JR.,)	
	)	Date: January 21, 2011
Defendant.	)	Time: 9:00 a.m.
	)	Court: Hon. D. Lowell Jensen
)	

The above-captioned matter is set on January 21, 2011 before this Court for a status hearing. The Court, however, is not available on January 21, 2011. The parties, therefore, request that this Court continue the hearing to February 11, 2011 at 9:00 a.m., and that the Court exclude time under the Speedy Trial Act between the date of this stipulation and February 11, 2011.

Defendant requested that the government obtain additional documents or recordings from the Oakland Police Department; the government has been searching for the requested information. Defendant needs additional time to review the discovery that has been produced and to investigate this matter. Additionally, defendant needs time to research potential legal

STIP. REQ. TO CONTINUE HEARING DATE TO FEBRUARY 11, 2011 AND TO EXCLUDE TIME
No. CR-10-00659 DLJ

1 issues in connection with any potential motions with respect to this matter. The parties agree the
2 ends of justice served by granting the continuance outweigh the best interests of the public and
3 defendant in a speedy trial. Therefore, the parties further stipulate and request that the Court
4 exclude time between the date of this stipulation and February 11, 2011 under the Speedy Trial
5 Act for effective preparation of counsel, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).
6

7 DATED: January 20, 2011
8
9

10 /s/
JAMES C. MANN
Assistant United States Attorney
11 Counsel for United States
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/
JOYCE LEAVITT
Counsel for Cornell William Maxey Jr.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

11	UNITED STATES OF AMERICA,	)	No. CR-10-00659 DLJ
12	Plaintiff,)	
13	v.	)	ORDER GRANTING STIPULATED
14	CORNELL WILLIAM MAXEY JR.,	)	REQUEST TO CONTINUE HEARING
15	Defendant.	)	DATE TO FEBRUARY 11, 2011 AND TO
16		)	EXCLUDE TIME UNDER THE SPEEDY
17		)	TRIAL ACT
		)	Date: January 21, 2011
		)	Time: 9:00 a.m.
		)	Court: Hon. D. Lowell Jensen


The parties jointly requested that the hearing in this matter be continued from January 21, 2011 (as the Court is not available) to February 11, 2011, and that time be excluded under the Speedy Trial Act between January 20, 2011 and February 11, 2011 to allow for the effective preparation of counsel, taking into account the exercise of due diligence.

Defendant requested that the government obtain additional documents or recordings from the Oakland Police Department; the government has been searching for the requested information. Defendant needs additional time to review the discovery that has been produced and to investigate this matter. Additionally, defendant needs time to research potential legal issues in connection with any potential motions with respect to this matter. The parties agree the ends of justice served by granting the continuance outweigh the best interests of the public and

1 defendant in a speedy trial. For these stated reasons, the Court finds that the ends of justice
2 served by granting the continuance outweigh the best interests of the public and defendant in a
3 speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and
4 (B)(iv),

5 **IT IS HEREBY ORDERED** that the status hearing in this matter is continued from
6 January 21, 2011 to February 11, 2011 at 9:00 a.m., and that time between January 20, 2011 and
7 February 11, 2011 is excluded under the Speedy Trial Act to allow for the effective preparation
8 of counsel, taking into account the exercise of due diligence.

9
10 DATED: January 25, 2011



HON. D. LOWELL JENSEN
United States District Judge